

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wu, Tzyy-Chou et al.

Application No: 10/555,669

International Filing Date: May 5, 2004

For: ANTI-CANCER DNA VACCINE
EMPLOYING PLASMIDS ENCODING
SIGNAL SEQUENCE, MUTANT ONCO-
PROTEIN ANTIGEN, AND HEAT
SHOCK PROTEIN

Art Unit: *To be Determined*

Confirmation No.: 9879

Examiner: *To be Determined*

Docket No. JHV-050.01

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that the foregoing documents are being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to Mail Stop PCT (DO/EO/US), Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on this date of March 19, 2007.


John Barretto
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on September 19, 2006, in the above-referenced application.

Enclosed is a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); a Petition for a Four-Month Extension of Time; a paper copy of the Sequence Listing; a Computer Readable Form of the Sequence Listing (CRF); a Statement to Support the Filing and Submission of the Sequence Listing in accordance with 37 CFR §§1.821-1.825; a Preliminary Amendment; Declaration signed by Inventors Wu and Hung; and Powers of Attorney signed by Inventors Wu and Hung.

Please charge the surcharge for a small entity (\$65.00) to our **Deposit Account No. 06-1448, Reference JHV-050.01**. A copy of this Response is enclosed.

Although we believe that we have submitted the correct amount to cover the above-listed items, the Commissioner is authorized to credit any overpayment or charge any deficiencies to our **Deposit Account No. 06-1448, Reference JHV-050.01.**

Respectfully Submitted,

Date: March 19, 2007

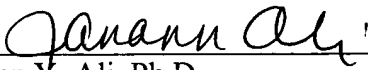
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Patent Group

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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.

10/555,669

FIRST NAMED APPLICANT

Tzyy-Choou Wu

ATTY. DOCKET NO.

26148.1180

INTERNATIONAL APPLICATION NO.

PCT/US04/13756

I.A. FILING DATE

05/05/2004

PRIORITY DATE

05/05/2003

McKenna Long & Aldridge
1900 K Street NW
Washington, DC 20006

Missing Requirement
DUE: 11/19/07-w/2 mo ext
FINAL: 4/19/07

CONFIRMATION NO. 9879

371 FORMALITIES LETTER



OC000000020495147

Date Mailed: 09/19/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/07/2005
- Copy of the International Search Report filed on 11/07/2005
- Preliminary Amendments filed on 11/07/2005
- Information Disclosure Statements filed on 11/07/2005
- U.S. Basic National Fees filed on 11/07/2005
- Priority Documents filed on 11/07/2005

RECEIVED	
SEP 21 2006	
DOCKETED BY: <u>JM</u>	
DUE DATE: <u>11/19/06</u> / FINAL: <u>4/19/07</u>	
ATTORNEY CONFIRMATION:	
MCKENNA LONG & ALDRIDGE	

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/555,669	PCT/US04/13756	26148.1180

FORM PCT/DO/EO/905 (371 Formalities Notice)